

Brewing Company, a disqualified person with respect to the Plan.¹

This exemption is conditioned upon the following requirements: (a) The terms of the Loan are at least as favorable to the Plan as those obtainable in an arm's length transaction with an unrelated party; (b) the Loan does not exceed twenty-five percent of the assets of the Plan at any time during the duration of the Loan; (c) the Loan is secured by a first deed of trust on certain real property (the Property) which has been appraised by an independent, qualified appraiser to ensure that the fair market value of the Property is at least 150 percent of the amount of the Loan; (d) the fair market value of the Property remains at least equal to 150 percent of the outstanding balance of the Loan throughout the duration of the Loan; (e) the Plan trustees determine on behalf of the Plan that the Loan is in the best interests of the Plan and protective of the Plan's participants and beneficiaries; and (f) the Plan trustees monitor compliance with the terms and conditions of the Loan throughout the duration of the transaction, taking any action necessary to safeguard the Plan's interest, including foreclosure on the Property in the event of default.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption, refer to the notice of proposed exemption published on December 19, 1994, at 59 FR 65395.

For Further Information Contact: Kathryn Parr of the Department, telephone (202) 219-8971. (This is not a toll-free number).

Lucky Electric Supply Inc. Employees Pension Plan (the Plan) Located in Memphis, Tennessee

[Prohibited Transaction Exemption 95-07; Exemption Application No. D-09792]

Exemption

The restrictions of sections 406(a), 406(b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) of through (E) of the Code, shall not apply to the cash sale by the Plan to Lucky Electric Supply, Inc., the sponsor of the Plan, of a group annuity contract (the GAC) issued by Mutual Benefit Life Insurance Company of New Jersey (Mutual

Benefit); provided that the following conditions are satisfied:

(A) The sale is a one-time transaction for cash;

(B) The Plan does not suffer any loss or incur any expenses in the transaction;

(3) The Plan receives a purchase price of no less than the fair market value of the GAC at the time of the transaction; and

(4) The proceeds of the sale are used solely to discharge the Plan's obligations to participants and beneficiaries in connection with the termination of the Plan.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption, refer to the notice of proposed exemption published on November 28, 1994 at 59 FR 60842.

For Further Information Contact: Ronald Willett of the Department, telephone (202) 219-8881. (This is not a toll-free number.)

Stratus Computer, Inc. Employees' Capital Accumulation Plan (the Plan) Located in Marlboro, Massachusetts

[Prohibited Transaction Exemption 95-08; Exemption Application No. D-09823]

Exemption

The restrictions of sections 406(a), 406(b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code, shall not apply to (1) the extension of credit by Stratus Computer, Inc. (Stratus) to the Plan in the form of a loan (the Loan) with respect to Guaranteed Investment Contract, Number 62456 (the GIC) issued by Confederated Life Insurance Company of Canada (CL); and (2) the Plan's potential repayment of the Loan (the Repayments), provided: (a) All terms of such transactions are no less favorable to the Plan than those which the Plan could obtain in arm's-length transactions with an unrelated party; (b) no interest and/or expenses are paid by the Plan; (c) the amount of the Loan is no less than the accumulated book value of the GIC as of August 12, 1994; (d) the Repayments are restricted to the amounts, if any, paid to the Plan after August 12, 1994, by CL or other responsible third parties with respect to the GIC (the GIC Proceeds); (e) the Repayments do not exceed the total amount of the Loan; and (f) the Repayments are waived to the extent the Loan exceeds the GIC Proceeds.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the notice of

proposed exemption published on December 5, 1994 at 59 FR 62419.

For Further Information Contact: Gary H. Lefkowitz of the Department, telephone (202) 219-8881. (This is not a toll-free number.)

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and/or section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions to which the exemptions does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) These exemptions are supplemental to and not in derogation of, any other provisions of the Act and/or the Code, including statutory or administrative exemptions and transactional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction; and

(3) The availability of these exemptions is subject to the express condition that the material facts and representations contained in each application accurately describes all material terms of the transaction which is the subject of the exemption.

Signed at Washington, D.C., this 24th day of January, 1995.

Ivan Strasfeld,

*Director of Exemption Determinations,
Pension and Welfare Benefits Administration,
Department of Labor.*

[FR Doc. 95-2082 Filed 1-27-95; 8:45 am]

BILLING CODE 4510-29-P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 95-010]

Intent To Grant an Exclusive Patent License

AGENCY: National Aeronautics and Space Administration.

¹ Since Randall Heine and his wife, Paula Heine, are the only participants in the Plan, there is no jurisdiction under Title I of the Act pursuant to 29 CFR 2510.3-3(b). However, there is jurisdiction under Title II of the Act pursuant to section 4975 of the Code.

ACTION: Notice of Intent to Grant a Patent License.

SUMMARY: NASA hereby gives notice of intent to grant CYTEC Engineered Materials, Inc., 1300 Revolution Street, Havre de Grace, Maryland 21078, an exclusive license to practice the invention protected by the U.S. Patent Application Number, 08/209/512 entitled "PHENYLETHYNYL TERMINATED IMIDE OLIGOMERS," which was filed on March 3, 1994, by the United States of America as represented by the Administrator of the National Aeronautics and Space Administration.

NASA hereby gives notice of intent to grant CYTEC Engineered Materials, Inc., 1300 Revolution Street, Havre de Grace, Maryland, 21078, a partially exclusive license to practice the invention protected by the U.S. Patent Application Number, 08/330,773 entitled "IMIDE OLIGOMERS ENDCAPPED WITH PHENYLETHYNYL PHTHALIC ANHYDRIDES AND POLYMERS THEREFROM," which was filed on October 28, 1994, by the United States of America as represented by the Administrator of the National Aeronautics and Space Administration.

The exclusive license will contain appropriate terms and conditions to be negotiated in accordance with NASA Patent Licensing Regulations (14 CFR part 1245). NASA will negotiate the final terms and conditions and grant the license unless, within 60 days of the date of this notice, the Director of Patent Licensing receives written objections to the grant, together with supporting documentation. The Director of Licensing will review all written responses to the notice and then recommend to the Associate General Counsel (Intellectual Property) whether to grant the license.

DATES: Comments to the Notice must be received by March 31, 1995.

ADDRESSES: National Aeronautics and Space Administration, Code GP, Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Mr. Harry Lupuloff, NASA, Director of Patent Licensing, (202) 358-2041.

Dated: January 20, 1995.

Edward A. Frankle,
General Counsel.

[FR Doc. 95-2223 Filed 1-27-95; 8:45 am]

BILLING CODE 7510-01-M

[Notice 95-012]

Intent To Grant an Exclusive Patent License

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of Intent to Grant a Patent License.

SUMMARY: NASA hereby gives notice of intent to grant Imitec, Inc., of Schenectady, New York, 12301, a partially exclusive license to practice the invention protected by the U.S. Patent Application Number, 08/299,172 entitled, "COPOLYIMIDES PREPARED FROM ODP, BTDA AND 3,4'-ODA," which was filed on August 31, 1994, by the United States of America as represented by the Administrator of the National Aeronautics and Space Administration.

NASA hereby gives notice of intent to grant Imitec, Inc., of Schenectady, New York, 12301, a partially exclusive license to practice the invention protected by the U.S. Patent Application Number, 08/299,384, entitled "SOLVENT RESISTANT COPOLYIMIDE," which was filed on September 1, 1994, by the United States of America as represented by the Administrator of the National Aeronautics and Space Administration.

NASA hereby gives notice of intent to grant Imitec, Inc., of Schenectady, New York, 12301, a partially exclusive license to practice the invention protected by the U.S. Patent Application Number, 08/299,385, entitled "DIRECT PROCESS FOR PREPARING SEMICRYSTALLINE POLYIMIDES," which was filed on September 1, 1994, by the United States of America as represented by the Administrator of the National Aeronautics and Space Administration.

The partially exclusive license will contain appropriate terms and conditions to be negotiated in accordance with NASA Patent Licensing Regulations (14 CFR part 1245). NASA will negotiate the final terms and conditions and grant the license unless, within 60 days of the date of this notice, the Director of Patent Licensing receives written objections to the grant, together with supporting documentation. The Director of Patent Licensing will review all written responses to the notice and then recommend to the Associate General Counsel (Intellectual Property) whether to grant the license.

DATES: Comments to the notice must be received by March 31, 1995.

ADDRESSES: National Aeronautics and Space Administration, Code GP, Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT:

Mr. Harry Lupuloff, NASA, Director of Patent Licensing, (202) 358-2041.

Dated: January 20, 1995.

Edward A. Frankle,
General Counsel.

[FR Doc. 95-2221 Filed 1-27-95; 8:45 am]

BILLING CODE 7510-01-M

[Notice 95-011]

Intent To Grant an Exclusive Patent License

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of Intent to Grant a Patent License.

SUMMARY: NASA hereby gives notice of intent to grant On Line, Inc., of Waxhaw, North Carolina, 28173, an exclusive license to practice the invention protected by U.S. Patent Application No. 08/316,708, entitled "MASS DENSITY MEASUREMENT OF A TEXTILE YARN," which was filed on September 29, 1994, by the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. The exclusive license will contain appropriate terms and conditions to be negotiated in accordance with NASA Patent Licensing Regulations (14 CFR part 1245). NASA will negotiate the final terms and conditions and grant the license unless, within 60 days of the date of this notice, the Director of Patent Licensing receives written objections to the grant, together with supporting documentation. The Director of Patent Licensing will review all written responses to this notice and then recommend to the Associate General Counsel (Intellectual Property) whether to grant the license.

DATES: Comments to the Notice must be received by March 31, 1995.

ADDRESSES: National Aeronautics and Space Administration, Code GP, Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT:

Mr. Harry Lupuloff, NASA, Director of Patent Licensing, (202) 358-2041.

Dated: January 20, 1995.

Edward A. Frankle,
General Counsel.

[FR Doc. 95-2222 Filed 1-27-95; 8:45 am]

BILLING CODE 7510-01-M